

THE
CHARACTER
 OF A
 Popish Successor,
 AND WHAT
ENGLAND
 MAY EXPECT
 From such a One.

Part the Second.

Or the Dispute of the
S U C C E S S I O N
 Moderately discuss'd upon the Considerations of
 National Practise,
R E A S O N,
 AND THE
S T A T U T E S
 OF THE
R E A L M.

With some Reflections upon Mr. L'Estrange's (and another)
 Answer to the First Part of the Character, &c.

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OF THE

COMMISSIONER

OF THE

LAND OFFICE

IN RESPONSE

TO A RESOLUTION

PASSED BY THE

SENATE

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Part II.

IT might seem strangely preposterous, and a Thing altogether unseasonable, That such eager Disputes should be on Foot; and such sedulous Endeavours us'd to Exclude a Presumptive Heir to a Kingdom, as if the King were upon his Death-bed, or else lying in State ready for Interment; whereas on the contrary, with all due acknowledgment to Heaven for it, we find the immediate Possessor of the Throne still alive; and which is more, in a condition of health, and firmness of constitution, with that little difference of age, that promises but very small hopes of a Survivorship: A Thing scarce to be parallell'd in History, that such continual Knells should be rung in a Prince's Ears, before Mortality it self has given the least Alarum to his self-edcaying strength.

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But when we consider what Assassinations have been designed against his Sacred Person, what care has been taken to hasten him out of the World, and accelerate the slow pace of common Fate: When we consider upon what Foundations the Aspirer builds his hopes, upon what hopes his Assistants lend their helping hands, how he is hurry'd on by the Enemies of the Kingdom, whose advantages depend upon the Ruin of the Religion and Laws of the Nation by his Advance: We cannot then blame Sworn-Allegiance and Loyalty for listning to the voice of unanimous Testimony, and for being in hourly fears, as looking upon their Sovereign, their Shield of Defence and Protection, in hourly danger, and as it were every minute at Deaths door.

These are the Alarums, These the Terroures and Affrights that provoke the loud cries of the people, that awaken their jealousy, and inflame their indignation to see their Princes Live so direly menac'd, and his Herse design'd to make a Bridg for Roman Catholick Ambition to walk over his Blood to the destruction of their Religion, their Laws and Liberties.

And here it is, That the severe Remedy of Exclusion, may be deemed seasonably applicable to the violence of the threatening Distemper; and that there may be reason sufficient to dispute the Right of a Succession detrimental to the very Constitutions of a Government, and to prevent the ruinous hopes of bloud-thirsty designs. For *veniente occurrere morbo*, is a Maxim no less unquestionable in reference to the Welfare of the State, than the health of the Body.

Machiavel himself, whose Politicks are so much condemn'd, as to this very point, discourses more according to the Rules of Piety and Christianity, than of *Ragion'd Stato*. For under the Title *Quello che fa perdere un Regno a un Re chi sia hereditario di Quello sappino principi*, (saith he) *que a quell' hora chei comminciano a rompere le leggi, & quelli modi, e quelle consuetudini che, uno antiche, & sotto to quali huomini longo tempo sono vinuti, cominciano perdere to stato*. Princes are to know, that at that time that they begin to break the Laws, and those

those ancient Manners and Customs under which the people have bin long govern'd, they begin to lose their Sovereignty.

I do not find but that Richard the Third was as Loyal a Subject, and as faithfull a Councillor to his Brother as any then living, which perhaps was the reason that he was admitted with so little opposition to the Crown, upon a belief that he who was so good a Subject, could not prove an ill King. It being the Character of a good Prince to obey, and not to command the Laws.

But for a Prince, while a subject to give apparent Symptoms of his ill intentions before he comes to the Crown, what does he do but give a fair warning of the danger of his being entrusted with those sacred Jewels of the Subject's Birth-right, their Religion, and their Liberty ?

As for the Succession of Princes in General, there is this to be fairly asserted, That it is a most undoubted and unquestionable means to preserve a Kingdom from the bloody and ruinous Contests of ambitious Pretenders and Usurpers. But on the other side, the conspicuous Precedents in Sacred Writ; The numerous examples of its interruption in the prophane sins of all Nations, Empires and Monarchies evidently demonstrate, that it has no solid and firm Foundation, either from the one or the other. For in the House of Saul we find it interrupted by the appointment of God himself; in the Line of David by Paternal Choice, upon the Challenge of his promise made to Bathsheba and Nathan, the Prophet, after which the Kingdom of Israel, the best part of the Jewish Dominion was rent from the whole Posterity of Solomon, which is no more than what the Bible, open to all vulgar eyes, confirms: to which I may also add, that the Royal Scepter of the Hebrew Monarchy was confer'd upon Judah, the Fourth Son, to the utter defeating of Reuben, Simeon and Levi, the three Eldest.

Among the Persians we find the Succession to that Empire, notwithstanding the Alliance of Darius to the Imperial Family, Disputed among seven Pretenders, till the rest of
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the Competitors were over-reached by the Cunning of a Groom. *Tam levi momento Regnum Persarum in unum collatum est.*

The Succession of *Artamenes* and *Xerxes*, the Sons of *Darius*, was referr'd to *Artaphernes* their Uncle who preferr'd *Xerxes* the younger Brother.

To this Ancient Monarchy of the *Persians*, *Alexander* puts a final Period: Who, though he left his Princess at the same time big with Issue, surrendred his Conquest to which he had the most undoubted Right of disposal in the World, to the most Worthy.

Among the *Romans*, Lineal Descent took little place, while the Imperial Dignity was so frequently at the Devotion of the Legionary Acclamations.

In the Eastern Empire, settled by *Constantine* the Great nothing was more common, than the disappointed Claim of Inheritance, defeated by the cunning contrivance of fair and specious Pretences; which wherever they may be allowed, or admit of Dispute, invalidate all positive Assertion of immutable Dominion.

Among the Ancient Inhabitants of this very Island, after the Death of *Lud Belin*, We find that though that Prince had left two Sons under Age, the *Britains* judging them unfit to succeed in the Government, after the manner of most Nations of that Time, saith the Historian, made Choice of the nearest in Merit, as well as in Kin, who was *Cassebelon*, Uncle to the Minors.

Andragorius, or *Mandubrace*, proving false to his Country, was put beside the privilege of his Birth, and his younger Brother preferr'd.

Admineus the Eldest Son of *Cynobelin*, endeavouring to betray his Countrey in the Life-time of his Father, was put by the Succession after his Father's Decease.

After the Death of *Uther Pendragon*, the question was, whether *Uther's* Sister, the Legitimate Female-Heir, or *Arthur*, the Illegitimate Male-Heir, being only the Natural Son
of

of *Uther* by the Dutcheſs of *Cornwall* ſhould take place ; but the Diſpute was decided in favour of *Arthur* : Next to whom was *Conſtantine* preferr'd before others, much nearer in Bloud to the Royal Family.

In like manner *Edward the Confefſor* was preferr'd before the Sons of *Edmond Ironſides* ; And *William the Norman* recommended the Election of his younger Son to his Ringdom, bequeathing only his *Dukedom* to his Eledſt Off-ſpring

Laſtly, not to travel any farther among other Nations or Kingdoms , the bloody Conteſts in this Iſland between the Two Houſes of *Lancaſter* and *York* , that coſt ſuch Deluges of Bloud , while the Sword diſcuſ'd the deſtructive Arguments of Succeſſion , plainly convince us that Princes themſelves do not blieve the Right of Inheritance to be poſitively aſcertained by the Laws either of God or Nature.

Nevertheless, although the Succeſſion of Princes in general have bin a Diſpute ſo frequently argu'd both by the Pen and Sword, almoſt in all Ages, and all Nations, and a Theme ſo loudly controverted at this day, yet it is not ſo ſtiſly neither to be maintain'd , but that when a Succeſſion is once determin'd, the Tye of the Subject's Obedience is indiſſoluble, unleſs the exorbitant Ravages of deſtructive Tyranny firſt diſentangle and unloose the *Gordian Knot*. For without command and obedience the world would be a perfect Chaos. And as Monarchy approaches the neareſt to the Government of the Supream Monarch of Monarchs , and of all Created Beings ; ſo there is nothing of which Mankind, that cannot live without ſubjection, ought to be more awfully tender, than of breaking the Bonds of Allegiance and Fidelity to the moſt perfect Form of Government under the Skie. A Government ſo conformable to the Pattern of Heaven, that *Plato* wiſh'd no greater

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happineſs to the World, than that all Mankind were under the Dominion of one King; then, ſaith He, would the whole Race of Men be in a bleſt condition, when Governed by one Monarch. War and Bloudſhed would ceaſe; nor would the various Interests, the Jealouſies and Ambition of Princes, engage one another as they do to the mutual deſtruction, both of themſelves and their people; when ſo many different and diſtinguiſh'd Nations were reduc'd as it were into one Family, under one King and Father.

Neither is the Allegiance of Subjects to their lawful Princes a Tye of Custom, but an Obligation of Conſcience; as being the only Cauſe of the Peace and Tranquillity of all Kingdoms and Empires; and therefore frequently enjoyn'd in Holy Writ by the great God of Order and Peace himſelf. For which Reaſons, they who make it their Buſineſs to alienate the Fidelity of Subjects from their lawful Sovereigns are the worſt of men, under whatever Maſque or gaudy diſguiſe they conceal the iniquity of their deſigns, and act the ſame part with the Prince of Confuſion, while the one foments and cheriſhes Rebellion againſt God, the other againſt his Vicegerents. They are the publick Diſturbors of the Worlds Order and Tranquillity, and are to be lookt upon as the common Nuſances of Mankind, and the publick Enemies to God and Nature.

On the other ſide, They who will admit no Bounds or Limits to circumscribe the power of Sovereign Command, miſguiding Credulity through the obſcure Coverts of Adulation, and officiouſly Treacherous to the Dictates of their own Conſciences, as frequently ſhipwrack the Fortunes of their flatter'd Princes as their own. For theſe deluſive Tempters having wrought in their Sovereigns an Opinion of being more than Human, with equal flatteries perſwade them, to challenge a Power more abſolute over the

the same Dust and Earth, than ever God assur'd over the despicable Vassals of his All-commanding Omnipotency: Forgetting that the Mighty King of Kings, when he had chosen to himself a peculiar People among the Sons of Men, descended to conditional Agreements, and Treaties with Low Mortality, by way of Article and Covenant; *If you will be my People, I will be your God*; and all was for their own Welfare, their own Safety, and their own Renown. The Victory, Peace, Plenty, and the Diuturnity of all these Blessings being still the enjoy'd Rewards of their Obedience to their Heavenly Monarch, and their acknowledgments of his Royal Favours.

And therefore, saith Tacitus of Tiberius, *Incepit eos qui divinas occupationes ipsumque Dominum dixerant*. And Claudius sharply reprehended Vipsanius, for proposing him to be call'd the Father of the Senate.

The Noble Dane Canutus knew better Things, than to be flatter'd into a belief of his uncontrollable power, by those that gave him the Title of a God: Whom he therefore carry'd to the Sea, and made them assham'd to see that their God with all his Arbitrary Power could not so much as controll the disobedient Tide: nor do these very Flatterers themselves consider, that the Power of Sovereignty is never more circumscrib'd and limited, than when it lies fetter'd in the Insensible Chains of gilded Adulation, while they Usurp the Lawless Power so much contended for, and prostitute their weak Arguments to justify the Illegal Acts by themselves committed, under the pretence of unlimited Prerogative.

In short, conformable to what has been already said, that 'tis a vanity to assert Sovereign Prerogative to be without Bounds or Limits, the lofty Pride and conceal'd Ambition of Tyberius could not choose but acknowledge, when he call'd himself *Dominum Servorum, Militum Imperatorem*,

rem, caterorum Principem; A Lord of Slaves, a Commander of Souldiers, but the Prince only of others. The best of Princes in all Histories, either by their Words or Actions always manifested their dislike of exorbitant Government in themselves, and blam'd it highly in others: Well understanding, That that Prince, whoever he be, who commands the hearts and affections of his People, commands with a far more absolute power, than the severest Tyrant in the World, which Nero utterly abandon'd at his unpitied end, found to be true; the first profest Tyrant of the Julian Line, that ever thought of Exorbitant Prerogative, and the Dissolution of the Senate.

If then it be so undeniably true, that Sovereign Empire is confin'd within its proper Bounds and Limits, which are the Welfare of the Prince himself, and the Safety of his People; the question will be, whether the Determination of Succession be within the Verge of those Limits or no?

For answer, to which, There can be none more convincing Argument given, than the practice of our Kings themselves; Recorded in the Stories of their several Reigns. William the Norman, as William of Malsbury writes, gave the Kingdom of England by Will to Rufus his younger Son, without regard however to the Right of Descent, bequeathing his Dutchie of Normandy only to Robert his Eldest Offspring. Oldenburger, in the second part of his his *Thesaurusrerum publicarum*, varies somewhat from the former Author: For speaking first of the Norman himself, he saith, that though he seem'd to enjoy the Kingdom by the Title of Conquest, yet he founded his Right upon the Election of the People; for that by the Testimony of all the Laws and Historians of that Time, he was after his Victory Created and Elected by the consent of the people. As for his leaving the Kingdom to his Son Rufus by Will, the same Author makes no mention of it, but rather asserts the contrary, Quoting out of an Old Book, call'd *Liber Cadomensis*, or the Book
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of Caen in Normandy, these very words of the Normans own saying, *Neminem Regni Angliæ Constituo Heredem; non enim tantum Decus Hereditario jure possedi: I Appoint no Heir to the Kingdom of England; For I did not enjoy so great an Honour by right of Inheritance,* and therefore he only recommended His Son William to the Peers of the Nation, who was there-upon Elected by the People.

But whether the Father made a VWill or no, it is not material; For the Son had so little regard to it, that he rather Chose to have his Title Confirm'd by the People. which after a long Consultation, was at length done by a General Assembly of their Representatives Conven'd at Westminster.

After him, Henry his Brother, saith the Historian, was Elected King; which perhaps was the Reason, he thought the same way the most safe for the settling of the Succession upon his Son. However it were, he found he had but little reason to trust to the security of a VWill after his Decease. And therefore he would not be satisfi'd till having call'd a Council of the Peers, and Leading Persons of the Nation, he had won them to swear Allegiance to the young Prince, and Sworn them to admit him to the Throne after his Death.

Henry the Second Had the same ill Opinion of the Sufficiency of a Will; that he could not be at ease, till he had Commanded his Parliament at Westminster, and by the consent of the Lords and Commons had Crowned his Son Partner with Him in His Kingdom.

Edward the Third, That Magnanimous and Glorious Prince, shewed himself to be of the same Judgment. For upon the Death of His Son Edward the Black Prince, He did not think the Succession of His Grand-Child Richard the Second safe, till he had procured it to be firmly settl'd by Authority of Parliament, which he called for that purpose.

Henry the Fourth, A Wise and Valiant Prince, no way desirous to trust to the weak Foundation of a single Will, followed the Steps of his Predecessors, and the better to assure the Inheritance of England and France to His Posterity, by a Special Act of Parliament in the first Year of His Reign, caused it to be settled upon the Heirs of his Body begotten.

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Thereupon Prince *Henry* was Decreed Heir apparent, to Succeed him in the Realm; which if he did without Issue was to remain to the Lord *Thomas*, the Kings second Son; the remainders to the Lord *John*, the Third, and the Lord *Humphrey*, the fourth Son, and the Heirs of their Body begotten. By which, all Claims, Titles, and Ambiguities to the Crown were avoided, so long as any of those Princes were living or had Issue. *Harry* the Seventh, after he had procur'd the Parliament to confirm his own weak Title, with the same Prudence and foresight procur'd the Lords and Commons to settle the Inheritance of the Crowns of *England* and *France* upon him, and the Heirs of his Body lawfully begotten without regard to any other.

In King *Henry* the Eighth's time, several Acts were made for settling the Succession, which were alter'd as Issue was Born to the King by variety of Wives. And at length they Deriv'd a plenary Authority to him (for which he acknowledg'd the great Trust and Confidence which his Loving Subjects had in him) by his Letters Patents under his Seal, or his last Will in Writing sign'd with his Hand, for lack of Issue lawfully Begotten of his Body, to give, limit, assigne, appoint, and dispose of the Imperial Crown of the Realm, to what Person or Persons, or for such estate in the same, and under such Conditions as should please His Majesty; Provided, That if any of his Children, or any other Person, to whom he should Dispose of the Succession, by Vertue of those Acts, should make any Claim, or Challenge any Title to the Crown, contrary to the Form, Degree, or Conditions limited by the King, by Vertue and Authority of those Acts, that such Offenders and their Abettors should be deem'd guilty of High Treason.

By which it is plain that the Authority of the King being only Derivative, was inferior to the Authority from whence it was Deriv'd.

King *James* indeed was by the Will of Queen *Elizabeth* declared her Successor, though not known till after her Decease: Yet notwithstanding that Will, he was recogniz'd and Confirmed by the Parliament, who finding the Will of the Queen Conformable to the first Entail upon issue of *Hen. 7.* (for the Entail by Vertue of the 25. of her Father

Father, was void by her Death without Issue) they thought it not reason to contradict a Lawfull Title so Advantageous to the Kingdom.

So that if matter of Fact, and *Litera Scripta* may be taken for Truth, the Power of settling the Descent and Inheritance to the Crown of this Kingdom, has been all along either in the Grand Councils, or Conventions of the Three Estates of the Kingdom.

And for a farther Evincement of this, we find, that by the Statute of the 13. of *Eliz.* it is made no less than High Treason to Affirm, That the Queen with, and by the Consent of the Parliament of England, is not Able to make Laws and Statutes of sufficient Force and Validity to Bind, Limit, Restrain, and Govern all Persons, their Rights and Titles, that in any wise may or might Claim any Interest or Possibility to the Crown of England, in Remainder, Inheritance, or otherwise howsoever.

The Person that pretends to Answer the Character of a Popish Successor, takes no Notice of the Practice of Kings and Parliaments, before Henry the Eighth. But he is pleas'd to allow, that those Acts were Necessary to be made, in regard the frequent Marriages, and Divorces, and Attainders of that Prince's Wives, might make the Right of Descent Disputable; but Ridiculously, and Weakly urg'd, when it is Clear to the Blindest Apprehensions, who is the True Successor; Nay, (saith he) those Statutes were made to Confirm, not to Alter the Succession.

Suppose it so; to the same Intent and Purpose, were made all the Statutes about Succession in the Reigns of the former Kings: Yet, with his Favour, where several Titles were on foot, that had both Successively prevail'd in their Turns, there follows certainly not only an Alteration, but an Abrogation of that Title; against which another is set up. For no Man can be so stupid, as to think that Henry of Lancaster could be Advanc'd to the Throne of Richard of York, without an Absolute Alteration of the Descent. But whether they were made to Alter or Confirm, that is not the Point; but, Whether the King could have done His Business, without those Acts? If He could not, then the Power of Succession was in the Parliament: If He could, the Acts of Parliament were in vain, and there was no Necessity at all of their being Made; when the King's Last Will and Testament, in an Absolute

Absolute Capacity, had been undoubtedly sufficient for His Purpose.

And whereas he sayes, *'Tis now so plain to the Blindest Apprehensions, who is the True Successour: Hinc ille Lachryma;* Thence arises the Unhappy and Unfortunate Dispute. A Dispute the more freely to be Prosecuted, because it has its Foundation upon the Principles of Honesty, Right, and Justice: A Dispute, not between the Sovereign in Possession, and the Subject; but between Subject and Subject: A Dispute, of which the Maintainers have no small reason to blush, because managed with so much Heat in favour of an Aspirer, before he, whom is most concern'd, ever thought of it, or mention'd it himself: A Dispute, in which there are no greater Arguments for the Silence of the Upholders, than the first Occasions that gave it Being.

Nor is it such a Blindness of Apprehension in others, not to see who is the True Successor, when the Trustee's of the whole Nation, in whom the Determination rests, are at a Loss themselves, and draw the Important Reasons of their Jealousies, from the Dangerous Consequences of an over-hasty Claimer's suspected Intentions.

The Desire of Continuing the Succession to their Posterity, in all the Precedents already recited, had its Original from the Paternal Inclinations of the Princes themselves: Here the Argument moves upon far different Springs, and has its Rise from Precipitate Ambition, and Aspiring Thoughts. The King is Lusty, Healthy, Strong, and without any Symptoms of stopping almost in the Half Career of a long Life: The Controversie unseasonable, and ill tim'd, which renders it suspected. Forreign Negotiations amuse us on the one side; the proud Attempts of Assassination astonish us on the other; The Stiflings of Discovery, and the Palpable Endeavours to gag the Mouth of Truth, have put the Kingdom into such a Consternation, that the People are almost at their Wit's End: And these are the Alarums, that awaken the Publick Fear, that slept so securely before.

To suppress the loud Complaints of these Miscarriages, the Stirring, Adverse Party make most Hideous Out-Cries of Designs against Monarchy, Machinations against the whole Regal Line; crying out *Fire, Fire*, after they have set the Nation in a Combustion themselves.

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But the different Steerage of the Pilots, easily discovers the Frand of these Delusive Clamours: While the *One*, by furling only the Top-sails of Monarchy, that would over-set it in the Storm, endeavour to Con it into the Harbour of Peace and Tranquillity; the *Other* handing out all Sails in the Tempest, and swelling them with the violent Gusts of Arbitrary Fury, and Unlimited Will, run it upon all the Rocks imaginable of Dishonour, and ill Success. These are but thundering Exclamations of bad Instruments, with which they endeavour to Encounter the Opposers of their Evil Management. Upon whom they will never be able to fasten their Calumnies, till they out-doe them in their Magnanimous Attempts, for the Publick Good.

Were it Lawful to invoke the Immediate Decision of Heaven, there is no Question to me made, but that it would soon appear, which of the Two did Reverence their Prince with the most Religious Duty, and Uninterested Obedience; and which would be most ready to sacrifice their Lives for his Prosperity. Then it would appear, how far these Accus'd and Calumniz'd Worthies are from designing either against their Prince, or his Posterity. Crimes incompatible with their untainted Honour, their unblemish'd Piety, and the Genius that Guides and Enlivens their Undertakings.

Certainly, it cannot be conceal'd from the Understanding of all Good and Judicious Men, how high a piece of Ingratitude it would be, to offer the least Injury to that *Succession*, that has been so Advantageous to this Nation, in putting an End to those Fatal Contentions between the *Red*, and the *White Rose*, which over-flow'd the Kingdom with such Crimson Inundations, and left no Corner of the Land unsprinkled with the blended Streams of Widows Tears, and the Blood of Brethren, Foes, and Hostile Parents. And, in the Second place, by

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Uniting

Uniting Two Potent Kingdoms formerly in Continual Wars, one with another, to the vast exhausting their *Exchequers*, and the Inestimable Treasure of their Subjects Blood.

However, if there be any Canker'd Branch, that would Insect the **Royal Oak** of *Brittain*; they are not to be blam'd, who endeavour to Preserve their *Prince*, whom they so entirely Love, and whose Life they have so much Reason to wish Long and Happy, from the Ambuscado's of Consanguinity.

Hence then it appears, That there is some particular *Person*, who is thought Uncapable of Succeeding to the Imperial Crown of *England*.

And hence proceeds the Controversy, that has rais'd so loud a Dispute in the Kingdom. A most certain Argument of *English* Reverence to *Monarchy*, and their *Prince*; when only the Brother of their *King* shall have so many Adherents and Followers in a Bad Cause: So unwilling they are to believe, that a *Prince* so nearly related to their Sovereign, can do an ill Thing.

Now then, the Questions that arise upon this Difference, are:

First, *Whether the Parliament, and in them the People, have any Power to interfere in the Determination of This Succession.*

Secondly, *If they have, Whether the Reasons which they alledge, are sufficiently Prevalent to Alter the Succession.*

For the Decision of the First *Question*, the best way will be to Appeal to the Constitutions of the Kingdom. Among which, none can bear greater Sway, than the Acts of *Parliament*; to which we see so many Kings of *England* have all along Submitted, as well for the Confirmation of their own Claims, as the Succession of their Posterity.

Now, that they have a Power to alter as well as confirm, nothing makes it more Conspicuous than Articles

titles of Agreement, made in the Reign of *Henry the Sixth*, between Him and *Richard Duke of York*. By which the Claim of the Duke was allowed, though then but a Subject, the Race of *Henry of Lancaster*, then the Predominant and Regnant King, put by, and the Succession entayled upon the Heirs of *Richard*. In which Act of Parliament their Authority to alter is as apparent as their Power to *Confirm*.

In the same manner, the Laws and Statutes of a Realm, with the Royal Consent have Power to bind the Right of the Crown, and to Limit and Govern the Descent and Succession; as it is Treason otherwise to affirm in reference to the Laws and Statutes of this Realm by the 13th. of the Queen, the Words *Bind*, *Limit* and *Govern* are so general, and so capable of various Interpretation, that he must be a very nice and scrupulous splitter of distinctions, that will debar them the Power of Alteration as well as Confirmation.

I shall add no more of this Nature, but only one short Passage in the Act of the Lords and Commons of this Realm, by which *Richard the Third* was declar'd King by Election as well as Succession. The Act is recited by Speed at large, wherein there are these very Words: *That the Court of Parliament are of such Authority, and the People of this Land of such a Nature and Disposition, as Experience teacheth, that the manifestation or Declaration of any Truth or Right made by the three Estates of this Realm assembled in Parliament, and by the Authority of the same, makes before* ■ *other things most Faith and Certainty; and quieting of Mens minds, removeth the occasion of all doubts and Seditious Language. In Rot. Parliamenti tent. apud Westm. die Veneris tertio die Januar. An. Primo Ricardi.*

And indeed there is no Monarchy, or other Government in the World whatever it be, so firmly established, as that which rest's upon ancient Laws and Constitutions, which are therefore permanent, because long experienced, and generally modell'd according
to

to the Customes and Tempers of the people who feel the Effects of their Power. Whereas the Floating Edicts of Will and Passion are made to day, received to morrow, if they scape the rude hands of Sedition.

And it may be attributed to the benefit of Ancient Constitution, that *London* is so free from Tumults. A happiness that *Paris* under a more Domineering SCEPTER cannot Boast, every foot shaken and harra's'd with Bosom-Mutiny and Confusion.

Since then we find our Ancient Constitutions to be so wholesome and agreeable to the Temper of the Nation, we have no reason to Exchange the Matron Vertue and Tenderness of our own Laws, for the French Harlotry of Arbitrary Will, because we are so bewitched to their Modes of Ornament, and their *Valets du Chambre*.

The Story of the Prince of Orange and Philip of Spain sufficiently declares the Fatal Consequences of the Peoples belief of the Intentions of a Prince to intrench upon their Religion and their Liberties. According to that Saying of Strada:

Haud dubium est quin Libertas, cui aliquandiu populi assueverint, si quid eis imminuitur, & carpitur, magnos plerumque motus excitaverit.

Therefore it is, that the most Sage Writers, and the most Authentick Masters, not of Shuffling, Cutting, Intreaguing; but of Just and Honest Policy, wisely Teach us,

Quod Regna Patriis moribus, & legibus non solum fundata, sed & Confirmata sunt.

And again:

Verum Regnum est Imperium quod voluntate Civium delatum est.

The

The Parliament, saith Sir Thomas Smith, in his Book de Repub. gives form of Succession to the Crown.

Nil, saith Bracton, tam proprium est Imperii, quam legibus Vivere.

Salus Populi, is an undoubted though common Maxim, And it may perhaps have had the misfortune to have been screw'd and wrested too far in favour of Rebellion; however, though it may not be allow'd to countenance Rebellion, it may be permitted as a fair Argument for the preventing the Occasions of Rebellion.

To which I may add the Concession it self of that Great King and Hero of these last Ages, Henry the 4th, *Leges, non Regis esse de regni successionem decernere.* Thuan. 1. 105.

And that it was the Judgment of the Common-Wealth of Venice in reference to the Succession of H. the 4th, That if the Succession were doubtful, and did not only depend upon the Law of the Land, but the Election of the People, it belong'd to the Nobility and chief Persons of the Land, who as they were the chief Defence of the Royal Authority, ought to have the only right to determine the Election.

These are solemn and undeniable Truths. And therefore they that out of Flattery maintain a Goose-quill War against the National Priviledges and Liberty of their Country, promise to themselves some great advantages, or else they ill spend their Time. But let 'em have a care, and consider, That there is nothing in the World so contemptible as a Tool of Perfidious Adulation, when once laid aside by those that have no longer occasion to make use of it. It being the common Misfortune of Knaves and Fools, if not worse, to be onely well rewarded with the deserv'd guerdons of those Ingrateful slights under which they generally pine and starve.

Seeing then that by the Lawes and Statutes of the Land conformable to the highest strength of Reason and Concessions of Kings themselves, That it is in the Power of the

Three Estates of *England*, with the Royal Assent, to alter and confirm the Order of Succession, we are next to consider whether the Reasons which they alledge, be sufficiently prevalent to induce the Prince in present Possession to give his necessary Consent for the Exclusion of that particular Person against whom they make their Exception.

To omit all others, as being not so much, at present, in dispute, the main reason insisted upon, is the publick Revolt of the Person from the Establish'd Religion of the Realm, whereby not onely great Encouragements have bin given to the Popish Party to enter into and carry on a most Devillish and Horrid Plott and Conspiracy for the Destruction of the Kings Person and Government, and consequently the fear of a Total Change of Religion upon the coming of Him to the Crown, against whom they make their Objections.

So that in short, the Question is, Whether difference in Religion be a sufficient Argument to debar a Succession to a Crown?

For the Resolution of which Question, it may not be unreasonably ask'd, Whether ever any Prince openly professing one Religion, did ever yet in this World govern a People before that were addicted to a clean contrary Worship? If any such thing has bin done, History has strangely forgot it self. But there are several instances of Princes, that have bin put by for the sake of their different Religion, and of others for onely endeavouring to alter the Ancient Worship of the Country.

It is a Maxime most certainly uncontroulable, That where Religion fluctuates and is subject to change, there can be no firm nor durable Foundation of Government. From whence it may be inferr'd, That as it is a remarkable Symptom of the Crazie Constitution of National Rule, so it shews that the particular Empire of every man over himself is unsettled, and out of order; and that there is an Anarchy of Turbulent Passions in his Mind, how Monarchical soever may be his aspiring thoughts. The

The *Athenians* were so severe in the preservation of their Antient Rites, though absurd and Heathenish, that they expell'd the Philosopher *Diagoras* for presuming to question whether there were any gods or no? or if there were, what they were? In like manner they condemn'd *Socrates*, though by the Oracle of *Delphos* pronounc'd to be one of the Wisest men of his Age, because he seem'd to introduce new Doctrines and a change of their ancient superstitions.

Among the *Romans* we find, that when the *Veientes* and They contended for the Utter Extirpation of each other, the *Veientes* being sorely distress'd by the Arms of their Adversaries, and tir'd with the Annual Creation of Magistrates, set up a King. Which act of theirs, saith the Historian, so highly offended the People of *Hetruria*, not out of any hatred which they had against Kingly Government, but of the person of the King, that they made a decree to leave them to the mercy of their Enemies, and not to send them any aid or assistance, till they had laid their King aside. And the reason was, because he had violated the ancient Custom of their Religion, by interrupting the solemnization of certain Plays, which was look't upon as a piece of deep prophaneness to omit.

In the time of the *Carthaginian* Warr made by *Hannibal*, Forreign superstitions had so infected the City of *Rome*, that not onely, *in secreto modò, et intra parietes abolebantur Romani Ritus*, but also *in publico in Foro, Capitolioq;* by the rout of people *nec sacrificantium, nec precantium Deos Patrio more*. Whereupon the *Prætor* was commanded to take care to free the City from those Innovations, and a strict Decree made by the Senate, *Ne quis in publico, sacrove loco, novo aut externo ritu sacrificaret*.

In the 39th Book of the same Author *Livie* we find, that a *Greek* Priest had introduced into *Italy* the *Bacchanalian* Ceremonies, no less infamous for lewdness and debauchery, than the Polluted Mixtures of Popery for Superstition and Blasphemy. Which being discover'd to the Consul *Post-*
humus,

humius, among other Reasons which he urg'd to the Senate for their suppression, this was one. *Quoties, saith He, hoc Patrum avorumq; etate, negotium est Magistratibus datum, ut sacra externa fieri vetarent, sacrificulos vatesq; Foro, Circo, urbe prohiberent, Vaticinos libros, conquirerent comburerentque, omnem disciplinam Sacrificandi, preterquam more Romano, abolerent. Judicabant enim prudentissimi viri, nihil æque dissolvendæ religionis esse, quam ubi non Patrio more sed externo ritu Sacrificaretur. So dangerous they thought it to the Public Security to alter their Establish'd Ceremonies of Heathenisme; then much more hazardous may we believe it to change the most unspotted Truth of Sacred Writ, for the sordid Gibberish of Popery. Religionibus, saith Justin, Totam Phrygiam implevit, quibus tutior omni Vita, quam Armis fuit.* If there were then that security in the Ignorance of Ethnic devotion, what must be the Safety of a Kingdom environ'd with the Establish'd Truth of the Gospel?

Religio, saith Lactantius, et Timor Dei solus est, qui custodit hominum inter se Societatem. Which being once firmly establish'd in a Nation, the change and alteration of it Creates the bond of all Human Society and Justice.

And thus what Cicero asserts concerning the one outward Veneration of Heaven, *That a Common-wealth may be sooner Built without a Foundation, than Constituted and Establish'd without an Opinion of the Gods:* And in another place of Religion, *That it is the Bond and Chain of Society, and the True Foundation of Justice,* is much more applicable to the true Doctrine of Christ; which having bin so long Establish'd according to the most Orthodox Methods in this Kingdom, as the change and alteration of it would undoubtedly unravell the whole Contexture of the Government, so the Fears and Fatal Consequences of such a Change are to be encounter'd and prevented with all the Care and Consideration imaginable.

The Truth of this is apparent from the Misfortunes of Princes, and the Calamities of Kingdoms, proceeding from the Mischievous Alterations of the settled Religion.

Philippicus

Philippicus Bardanes the Emperour, for endeavouring to introduce the Opinion of the *Monothelites*, condemn'd by the Sixth *Oecumenical Council* at *Constantinople*, by the advice of *Artemius*, was depriv'd of his Eye-sight and thrown into a loathsome Prison.

Justin the Second, shorten'd his Reign, and became the Odium of his People, for abandoning the Orthodox Religion, and embracing the Enthusiasms of the *Pelagians*.

Peter, the Nephew of *Stephen*, King of *Hungary*, had embrac'd the Christian Religion. For which Reason the *Hungarians*, not understanding their Happiness, and therefore not relishing the Innovation, expell'd him the Kingdom, and occasion'd a bloody Warr between *Ovo* the Usurper, and the Emperour *Hen. the Second*. Thereupon the *Hungarians* resolv'd to try King *Peter* a second Time, and to that end restor'd him to his Kingdom; but because he would not return to the Ancient Heathenisme of the *Hungarians*, they remov'd him again, and then put out his Eyes, that his End might be the more miserable, and himself without the hopes of a Return.

In the *Tartarian Empire*, *Battus*, Contemporary with *Albert of Austria*, because he favour'd the Christian Religion, was by the *Tartars* put by, and *Casan*, a stiff *Mahometan*, set up in his stead.

Conspiracy, saith *Guthberletus*, was the pretence for the beheading *Mary*, Queen of *Scots*; But the true Reason was, because the Nobility of *England* were afraid lest being advanc'd to the Crown, she should make an alteration of the Establish'd Religion.

Sigismund the Third of *Swedeland*, a great Favourer of those Sons of Confusion, the *Jesuites*, was so violently oppos'd by the Nobility and People of that Country, to prevent his re-introducing of abolish'd Popery, that he was constrain'd to quit his Paternal Kingdom.

And therefore *Jovinian*, wisely foreseeing the grand Inconveniencies of the different Opinions of Religion between

Prince and Subject, when for his Valour and his Prudence he was saluted Emperour by the Heathen Legions, being himself a *Christian*, refus'd the Imperial Dignity; *No*, said he, *it is not expedient that a Christian Emperour should Command over Heathen Souldiers*. Nor could all their Entreaties and Petitions prevail, till the Souldiers themselves, loath to loose the advantages of so worthy a Commander, unanimously cry'd out, *Et nos etiam sumus Christiani*, We are also Christians.

Fond are therefore all the pretences of those who with their Parasitical Pens endeavour to deceive the People, and with the false varnish of delusive and plausible Notions to cover over and conceal the Dangers and Inconveniences of a Popish Succession in this Kingdom.

For there is that irreconcilable hatred, that implacable Embitterment and Antipathy between Opinions differing one from another, that nothing has bin more apparent to the woful Experience of the World. Which Mortal Antipathy if it have bin so irradicable between discording *Error* and *Error*, no wonder that *Error* should be the permanent and diuturnal Enemy of *Truth*. And the reason of this is plain. For the Devil is the profest Enemy of God. It is but then as it were natural to *Falsbood* and *Error*, to persecute the hated Establishment of *Truth*, as the Devil, from whence they proceed, makes it his business to oppose the abominated Divinity of Heaven. And then again, he maintains a perpetual Enmity between *Error* and *Error*, to keep the World in perpetual confusion and disturbance. And this Obstinacy is so inherent to the Quarrels about Religious Opinions, that men fight *pro Aris* in the first place, *pro Focis* in the last.

While there were yet but four persons in the World, the inflam'd hatred of a *different Worshipper* taught the Infant World the first bloody Lesson of Murther.

How frequently and how passionately does *David* complain of the restless, inveterate, implacable, immutable Hatred, Malice, Fury, Rage and Detestation with which Idolatry prosecuted the True Worship of God?

Among

Among the *Mahometans* groping in the *Cimmerian* Fogs of *Error*, we find to this day the two Sordid Sects of *Hals* and *Mahomet* so despihtfully enrag'd, the one against the other, that nothing can satisfy their mutual hatred, but mutual destruction.

What outrageous havock did *Heathen Antipathy* make to extirpate the *Imocency* of the *Primitive Christians*? The vast Torrents of the Blood of Ten Persecutions did not suffice to quench the impatient Thirst of Ethnic Fury and Remorseless Massacre, till those Purple Inundations had drowned even *Cruelty* it self.

Come now to the Butcheries, Slaughters, Massacres, Devastations and Depopulations of Popish Rage, and we behold the Bloody Footsteps of their Irreconcilable and more then Frantic Antipathy in all the Stories of *Europe*. A deadly and inexorable Feud, and mortal Rancour against all its Opposers, but more especially against the whole Body of Protestantisme, never to be pacify'd, till the last Grand Combat of the disorder'd Elements shall have destroy'd *Antipathy* it self.

The chiefest Characters of the Church of *Rome* for these many hundreds of years have bin those of *Cruelty*, *Perfidiousness*, and *Impiety*. And *Matchiavel*, against those who pretend, that the Welfare of *Italy* depends upon the Church of *Rome* maintains, That the Church of *Rome* is the Ruin of that Lovely Continent. For saith he, *per gli essempi rei di quella corte* &c. By reason of the vicious examples of that Court, *Italy* hath lost all manner of Religion, and all manner of Devotion; and where there is no Religion, there is no true Welfare. But then saith he, there is another cause of our Ruine, and that is this, Because the Pope is oblig'd by the Maxims of his Policy to keep all *Italy* in perpetual Division.

What hopes can we then have, that Religion (if it may be so call'd) so Cruel, so Perfidious, so Nefarious, as it appears to be, upon the Records of all Story, and so destructive to the Harbour of it's own Being, should change its nature, of a sudden, upon our succumbing to a Popish Succession? Or what reason can there be fairly and honestly, without Flattery of Self-Interest, alleadg'd, that we should admit in one person, when it may be legally prevented, a dispensation of a Religion which

which besides all the rest of their villainous properties, has also so much of the Treachery of the Fox, that when it once has got in the head, will soon make way for the rest of the body? Or why should we hazard the Subversion of our own Religion, and Tranquility, by yielding to a Succession that has Espous'd a Religion so ill Qualifi'd, and so destructive to the Peace and Welfare of its own Original Mansion?

Now after all that has been said, it is to be hop'd, that neither the Papists themselves, nor their Abettors, the first *Animadverter* upon the *Popish Character*, Nor Mr. L'Estrange himself (who would alwayes pretend to be what he is not, yet has the misfortune by his Arguments to prove himself still to be what he would not seem to be) will not be offended if they be meted the same measure which they have meted to others, and that we take the same Liberty in the Refusal of a Popish, which they themselves assum'd with so much obstinacy in the flat denial of a Protestant Succession; since the Parallel runs so alike on both sides.

After that *Henry of Valois*, for joyning with the *Huguenots* for his own Security, lay weltring in his own blood, an unfortunate Sacrifice to the boyling wrath and inexorable rage and Impiety of the Holy un sanctifi'd *League* between the *Pope* and his Ambitious Instruments the *Guises*, *Henry of Navarr*, a Protestant, became the next apparent Heir to the Crown of *France*.

Such were the Vertues of that Prince (the great argument now urg'd in behalf of the Successor now in dispute) such his Conduct in War, and absolute Prudence in Council, and so Renowned all over *Europe*, that rendered him no way Inferiour to any of their Princes; outdazling even the Fame of their adored *Pharamond* Himself. So that his Vertues and his Merits could not give the least umbrage of an Objection to His Claim or Title. But as the *D.* is look't upon as one seduc'd to Popery, so was he a Protestant from his Cradle.

However, after the *League* had made way for him, by the bloody murther of his Predecessor (for he never attempted to make any such irreligious way for Himself) he did not think it reasonable to omit his just pretensions. And thus began the Dispute so Parallel to ours at this time.

Navarr

Navarr had this advantage, That upon the Murther of his Predecessor, he was in the Field at the Head of an Army, and his Predecessor was *ipso facto* dead ; and so there was *Heres mortui*, not *Heres viventis* in being ; and more than that, he was recommended by the dying King to the Nobility as their true and lawful Successor, and some few there were who acknowledg'd him for their Sovereign without any condition.

Others more considerative, were of opinion that the whole Business was to be referr'd to the Parliament, and that nothing was to be done prejudicial to the Liberty of that Assembly. Nevertheless that they might not seem altogether to question the Right of *Navarr*, for whom they had so long been engag'd, they thought it expedient in the mean while to yield him their Obedience as Supreme Commander of the Army.

But the major part of these his Adherents and Followers (for all this was still agitated in his own Camp) to prevent the dangers of delays, and for fear of encreasing Factions in the Kingdom, while the Succession continu'd doubtful resolv'd, as they did, to acknowledge him King, but upon certain Cautions and Proviso's. Thereupon the King of *Navarr* promised upon the Faith and Word of a King, to preserve the *Roman* Catholick Religion inviolate, not to make any Innovations in the Discipline, to confer the Ecclesiastical Preferments and Dignities upon the *Roman* Catholicks, not to permit the Exercise of any other than the *Roman* Catholick Religion throughout the Kingdom, but onely in the Places held by the Protestants, to put none into Publick Offices and Charges, but *Roman* Catholicks, and to maintain inviolable the Rights, Priviledges and Liberties not only of the Nobility, but of all the rest of His Inferiour Subjects. The very same Conditions, and the very same Security upon which the Favourers of Popish Succession would have the People of this Nation now relye for their future safety. Which being perform'd, they send their Commissioners to the Pope, to inform him what they had done, and to crave his consent.

Nor were they only verbal promises and protestations ; Instruments were drawn, and sealed and signed on both sides, and Copies thereof proclaimed and divulged in several parts of the Kingdom.

H

These

These were only the kindnesſes of Friends; but the adverſe party played a contrary Game. For preſently the Duke of *Mayenne* wrote to the Cities and Governours of the *League*, that what had happen'd to *Henry of Valois*, was not a thing deſigned, but the Act of unſcrutable Providence, which by an unexpected kindneſs had protected his own Cauſe, from thoſe that had combin'd together to its Ruine, for which reaſon it behoved all thoſe that regarded the preſervation of Religion, and the Kingdom, not to let ſlip the Opportunity which Heaven had put into their hands to deſerve well both of God and Men. That before they had only to do with the ſecret Enemies of God; now they were to make Open War with Sectaries and Hereticks. After that, he wrote to *Philip of Spain*, extolling his Zeal for the Catholick Religion, and imploring his Aid to free a moſt flourishing Kingdom from the Tyranny of Sectaries.

By other Letters under his Seal, as *Vicar of the Royal Government*, and the *Council of the Union* erected at *Paris*, he admoniſhes, exhorts and intreats all the Princes, Peers, and others of the Nobility of the Realm, that in regard they had been freed by the Providence and Juſtice of Heaven, from him that had all along fomented and cheriſhed the venom of Hereſie in the Kingdom, they would now yield their obedience, and ſubmit to their Catholick Prince the Cardinal of *Bourbon*.

They had alſo ſent a Meſſage to the King himſelf (for ſo we now pretend to call him upon the firſt Acknowledgment) wherein they declared, *That the Title of Moſt Chriſtian being Eſſential to a King of France, he could not hope to enjoy the Crown, but by virtue of that Title, which gave a being to the Sovereignty of France.*

The Parliament of *Tholouſe* alſo, led by this Example, make an Ediſt, forbidding all perſons whatſoever under their Jurisdiction to acknowledge *Henry of Navarr* for King, or to aſſiſt him with Forces or Advice. But which was worſe than all this, about four Months after the Murther, of the King, the Duke of *Mayenne* fearing the Intrigues of the Spaniſh Faction, procures an Act of Parliament for the acknowledgment of the Cardinal *Bourbon*, under the Title of *Charles the Tenth*, and orders the Meeting of an Aſſembly of Eſtates at *Melun*, to conſider of a way for the ſetting the ſaid Cardinal at Liberty, being then a Priſoner to the King,
and

and to consult for the preservation of the *Roman Catholick Religion*.

For the surer playing these Cards, the Pope is desired, and easily entreated to send his *Legate, Cajetan*, with his Bull of Authority, and a most dismal Commission, *ut evellat, destruat, disperdat, dissipet, plantet, edificet*, and all for the Honour of God, exhorting the Nobility withall to take care to secure themselves under the Reign of a Most Christian King.

Cajetan being arrived in *France*. the Colledge of *Sorbon* puts in for a share, and to prevent *homines hereticae pravitatis* from introducing *Reprobis Magistratus*, positively declare it against the Laws of Man, and against the Law of God for *Henry Bourbon* a Heretick, and without the Communion of the Church, to be admitted to the Crown of *France*, as being a thing impossible to make any League with the King of *Bearne*, (so they called the Protestant Successor in derision) nor with any of his Heretical Followers.

This was attended by a second Arrest of Parliament, by which it was decreed, that *Charles the Tenth* should be acknowledged for the Lawful Successor to the Crown of *France*, and that Allegiance should be sworn to him accordingly, and that all the Power of the Kingdom should be employd to force him out of the Clutches of *Henry of Bourbon*, with whom it was Treason to act any thing to the prejudice of the Title of *Charles the Tenth*. And all this while not one kind word for *Henry of Bourbon*, not one Oppugner of the *Popish Character*, not one *L'Estrange*, that so much as wet their Quills in the behalf of the *Protestant Successor*. But whether this were not sufficient, or whether the Catholick Party would not seem to act any thing without a full satisfaction of their Consciences, the Colledge of *Sorbon* was again consulted as to the particular Doubts that arose upon the Succession, and these three questions propounded for them to resolve, Whether if *Charles the Tenth* should dye in Prison, or resign to *Henry Bourbon*, the *French* might with a safe Conscience admit a Favourer of *Heresie*, though absolved from his Crimes and Ecclesiastical Censures, there being so much occasion to suspect his Faith, and his subversion of the Established Religion.

2. Whether he ought to be accounted a *Heretick*, or a Favourer
of

of *Heresie*, who procures a Peace with the said *Henry*, or permits it to be made, when it is in his power to prevent it?

3. Whether it were a thing acceptable to God to oppose the said *Henry* to the utmost; and whether loss of Life in such a Resistance could deserve the Title of *Martyrdom*?

4. Whether these things were determined by Scripture and Councils? Or whether there might not be a relaxation of such a fierce Zeal without the hazard of eternal damnation?

To the first, after the Invocation of the Holy Ghost, they answered, that it was positively forbid by Divine Writ, to suffer a Heretick, or so much as the Favourer of *Heresie* to the Crown.

To the second, That whoever promoted the advancement of *Henry Bourbon*, being a *Heretick*, and a Favourer of *Heresie*, violated the Holy Decrees, and were enemies to Religion and the Church.

To the third, That the opposing of *Henry* was meritorious even to the loss of blood, and would certainly procure an Eternal Reward in Heaven.

To the fourth, That whoever assisted *Henry of Navarr* in his Advancement to the Crown, were deserters of their Religion, and were in danger of Eternal Damnation. This was plain downright, without any daubing, sycophantizing, or palliating the matter.

During these Disputes, both Parties being tired with the War, the one upheld by Queen *Elizabeth*, and the Protestant Princes of *Germany*; the other by the King of *Spain*, and the supplies of the Popes then living, of which one, by name *Gregory* the 14th, had spent in ten months, in opposition of this Protestant Succession, all that vast Treasure which the covetousness of *Sixtus* the fifth had been heaping up during His Pontificate of five years: At length the Duke of *Mayenne* set forth a Declaration, verified in that Parliament of *Paris*, wherein after he had made an Apology for his conduct of Affairs, he summoned all the Princes, Peers, Prelates, Officers of the Crown, Lords and Deputies to meet in behalf of the Union, and to appear at the Assembly of Estates upon a day prefixed to consider without passion or Interest of a safe and good remedy for the preservation of the Kingdom and Religion.

Two daies after appeared an Exhortation of the Pope's Legate

gate to the same effect, but in terms more plain than that of the Duke, declaring how much it behoved them to chuse a King who was really and absolutely *most Christian*, and truly *Catholick*, and who was sufficiently powerful to maintain the True Religion. By which, says *Mezera*, he plainly hinted at the King of Spain.

The Duke of *Mayennes* Declaration being seen and read by the Lords that were about the King, of whom the chief was the Duke of *Nevers*, they thought it but reasonable since the States of the Kingdom had invited them to make some answer, which might engage them to a Conference. Whereupon an Answer was drawn up, and by a Herald sent from the King to the Duke.

At the opening of the Assembly, *Gilbert Genebrard* Archbishop of *Aix*, made a Sermon, wherein he declared, *That the Salicque Law was positive, and therefore changeable at the pleasure of the Legislator, which was the Body of the People of France.*

They were no sooner sate, but the Trumpet came with the King's Answer, which was, *That if the Union would depute honest and prudent persons to meet in some convenient place, either at Paris, or St. Denis, to advise of a means to put an End to the present Troubles, the King would also send Commissioners of his own to the same purpose.*

The Answer was debated in the Assembly, and the result of the Debate (so irreconcilable to the *Protestant Succession*, was the *Catholick Passion*) *That they absolutely refused to enter into any Conference, either directly or indirectly with Henry of Navarr, nor with any Heretick, but onely with the Catholicks that were his Adherents, and that onely touching the good of Religion, and the publick Repose.*

After this Answer dispatched, the Duke of *Mayenne* went to *Soissons*, to confer with the Duke of *Feria*, *Jean Baptiste Tassis*, and *Irrigo de Mendoza*, the *Spanish* Embassadors. They positively proposed to him the Election of the *Infanta*, and pressed it as a thing both just and honourable.

At length necessity compelling, for the Catholicks that were of the King's Party, began to threaten him to forsake his side, if he did not change his Religion, the King hastened away His Deputies to the place appointed, which was at *Surene*. Where

among the rest of those Eloquent Speeches that were made *pro* and *contra*, I shall onely insert the substance of that which was spoken by the Archbishop of *Lyons*, which as it most prevailed, so it may clear to us the Opinion which the Catholicks had of the dangers of a Protestant Successor.

“There is nothing, said He, that more happily unites
 “Princes to their Subjects, or Subjects to their Princes than
 “Agreement in Religion. That Religion in every well-order’d
 “Commonwealth claims the precedency, and rules like the
 “Soul in the Body. And therefore it behov’d them indeed to
 “desire of God to bless them with a Prince; but yet with such
 “a one as should be most Christian, and no way degenerating
 “from the Piety of his Predecessors. That in vain, the Com-
 “mand of the Apostle was urged, that we were to obey the re-
 “fractory and froward. For it was against the Law both of God
 “and Man, to chuse a King that might hazard the return of the
 “People to *Egypt*, that is, the pravity of Schism and Sectarian
 “Error. That for this reason, the Priests and Levites revolted
 “from *Jeroboam*, and *Edom*, and *Libna*, Cities of the Levites, re-
 “nounced their obedience to *Joram*. *Athaliah* the Queen was by
 “the Authority of the Priest depos’d for her Idolatry. That E-
 “vangelick Precept confirm’d, that he who was disobedient to
 “the Church, was to be accounted a Heathen, and a Publican.
 “How then could he be chosen for King, who was cut off from
 “the Church? That *St. Paul* rebuked the Christians for going
 “to Law before Heathen Judges; intimating that they who
 “would not acknowledge the True Faith, were unworthy to
 “give Laws to the Catholick Christians; and that the Pest of
 “Heresie was sufficient to dissolve the strictest ties even to the
 “separation of Man and Wife. That by the fourth Council of
 “*Toledo* it was decreed, That no Prince should be admitted to
 “the Throne, until he should swear, not to suffer any one
 “in his Kingdom that should deviate from the Faith. That the
 “Examples of the Fathers and Primitive Christians were for it.
 “That *Mattathias* and the *Maccabees* were commended for that
 “they generously refus’d to obey *Antiochus*; and that the People
 “did lawfully rebel against *Moxentius* and *Licinius* for revolting
 “from the Christian Faith. *Constantius* the Son of *Constantine*, for
 “being

“ being an Arrian, and displacing *Athanasius* the Bishop, was cha-
 “ stized by his Brother *Constans*. That the Laws of *Constantine*,
 “ *Theodosius*, *Martian*, and *Justinian* decreed, That all Hereticks
 “ and their Favourers should by put by all Publick Offices and
 “ Employments, as unworthy of the Honour. That the Kings
 “ of *France* were bound by their Oaths to maintain the *Roman*
 “ Catholick Religion, & to extirpate Heresie; and that the People
 “ were onely obliged to their Obedience upon those Conditions.
 “ That the Calamities were not to be numbred which the Or-
 “ thodox Religion had suffered under *Constantius*, *Volens*, *Genfe-*
 “ *rick*, *Hunmerick*, *Thrasymund*, and other Arrian Princes. That
 “ all the Laws of Nations and Humane Constitutions were to
 “ give place to the Laws of Christ; and that these Truths were
 “ of far higher concernment than Proximity of blood, or Right
 “ of Succession; with much more to the same purpose.

These Arguments were so prevalent, that whatever could
 be urg'd on the other side, the unanimous determination of the
 Assembly was, That they would neither receive the King for their
 Sovereign, nor have any Communication with him till he were absolutely
 converted; and that the Pope had received him into the Pale of the
 Church; which stedfast resolution of theirs was that which shook
 the King's Resolution already tottering; and at length made
 him absolutely resolve upon his Conversion.

And thus the King, seeing no less than three Competitors in
 the Eye of the General Estates, the Cardinal already acknow-
 ledged, though not proclaimed; the *Infanta* propounded by the
 Spaniards, and the Young Duke of *Guise* newly started by the Duke
 of *Mayenne*'s friends, the first demurr'd upon, onely for his Age;
 the second forborn onely as a Stranger; and the third put by
 onely through the workings and Intrigues of the Duke of *May-*
enne's Wife, out of her pride to stoop to the command of a *Foy*,
 as she called the Young Duke of *Guise*; I say the King for these
 Reasons, not willing to hazard the Mutability and Capriccio's
 of Fortune that has oftentimes so strange an Ascendant over the
 Fate of Princes, he came to *St. Denis*, and there made open pro-
 fession of the *Roman* Catholick Religion, according to a confes-
 sion

sion of Faith prepar'd by the Prelates, and so solemnly resign'd up his Tenents of Protestantism into the hand of the Archbishop of *Bourges*.

Upon this a Truce was concluded, but yet no Peace, nor Confirmation of the Succession, both which were refus'd by the Duke of *Mayenne*, till the Pope had given the King his plenary Absolution; so irreconcilably obstinate the Catholicks were, not to bind their Allegiance to their Prince, till their Prince had bound his Conscience to *Them*.

I might here continue the story to relate with what reluctance he obtain'd his Absolution; but because his Conversion satisfied the People so far as to make way for his Coronation, I break off where the parallel ceases to be general. However the next year after his Conversion he obtain'd his Absolution, and then there was an end of the Dispute for a time. For afterwards, because he did not prove so violent a Persecutor of the Hugonots, as their insatiable and diabolical malice toward those miscalled Hereticks, would have had him to have been, with an Impiety unparalleled, they made no less than two Attempts upon his Royal Person, the first of which not succeeding, the second prov'd the most funest, and tragical Act of premeditated Rage and Revenge that ever contaminated the Profession of Religion, or the belief of a God.

And thus we see how strict and nice the *Roman* Catholick Zeal was in stopping all the chinks and crannies that might let in the least Air of a *Protestant Succession*. And yet if the Parliament of *England* argue but half so much against a *Popish*, as the Archbishop of *Lyons* harangu'd against a *Protestant Succession*, the Parasites of Popery cry out, *Forty One*, and *Woe to Monarchy*. Nay, they will not allow us the Right of Parliamentary Decision, to which the Despotick Power of *France* was forc'd to have recourse, after all the shifts and tricks of her refin'd Politicians, as the onely remedy to settle the undoubted Appeal of the Subject. 'Tis true indeed, there is a time when Truth is not to be spoken, and that is, when Flattery daunces her *Step-statelies* with an open confidence over all the

the Kingdom. Yet Men with half-capacities may easily discern the vanity of her delusion through the transparent Lawn of flashy Notion ; and discover the wounds of Liberty, through the thin covering of meer *filmy* Adulation. The loud and general complaints of the whole Nation against one particular Person, and by the Parliament their Representatives, upon their bended knees presented to the Redress of Majesties, can never be thought to be without a cause. It is impossible that the generality of a Realm should be upon the trail after one Grievance, if they had not a very hot scent of the preying Inconvenience. But here in answer to this, Mr. *L'Estrange* most obsequiously steps in, and makes a *false cry*, to lead the *Chace* a quite contrary way, and accuses the better half of the Nation of *Phanaticism* ; fairly intimating that according to *Caligula's* wish, the head of the whole Body might be cut off with one blow. Which counsel of his, if it were taken, would make a strange motionless Trunk of the rest of the Kingdom, when his Persecutions had invaded the Welfare of his envy'd Phanaticks, and they had dispos'd of their Estates. The Exchequer would soon be at a low Ebb, and the Parliament, though never so generous to their Prince, would find the Purse of *England* very unable to answer their Expectations. For 'tis the industrious part of the Nation, whic Mr. *L'Estrange* calls Phanaticks and Presbyterians, who have all the Harvest of their labours to loose, not the voluptuous, who have little or nothing to care for, that fill the Veins of the Nation with the support of Royal Authority.

You cannot blame 'em then, if they are no less solicitous than the Papists for the preservation of their Religion ; or if they joyn with their Brethren of the Church of *England* ; for with Mr. *L'Estranges* leave, neither Presbytery, nor Independency, are to be accompted either Sects or Schisms, but have equal Birthright with Episcopacy to the Rights and Immunities of Protestantism. I say then, 'tis no wonder that they are as jealous of a *Popish*, as the Papists of a *Protestant Succession*. And all this at a time when the support of their grievance is that which feeds and nourishes their daily and increasing fears and jealousies, and the private Intrigues of *French Policy* seem to tend to the verifying of *Coleman's* Negotiations.

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And therefore these *Mercurius Anglicus's*, whose Writings are onely like so many *Bills* upon their foreheads, where Court-flattery, and a servile Pen are to be hired, do very ill to poison the Springs of Truth, from whence those Maxims of Right and Reason flow, that have hung the Ballance of Royal Prerogative, and the Subjects Welfare in such an equal poise, that Justice never did, and onely Power can turn the Scales; I say in such an equal poise, that were the Standard but duly observed, neither Dominion nor Subjection would have any occasion to complain the one of the other, according to that Golden Rule of Government, *Populum in Obsequium Principum, Principes ad justitiam Imperiorum firmari*. A Truth which they who will not acknowledge are they who will one day mourn if they do not reap the benefit of their more prudent opposition, who are less willing to resign their Religion and their Liberty to a late and fruitless Repentance.

F I N I S.
